

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF TEXAS
CORPUS CHRISTI DIVISION**

ARNULFO FIGUEROA
Plaintiff,

v.

CITY OF CORPUS CHRISTI,
Defendant.

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Civil Action No. _____
A jury is demanded

DEFENDANT, CITY OF CORPUS CHRISTI'S
NOTICE OF REMOVAL

TO THE HONORABLE JUDGES OF THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF TEXAS:

1. The City of Corpus Christi, Texas (the "City") is the defendant in a civil action brought on January 21, 2021, in the County Court No. 3, Nueces County, Texas entitled *Arnulfo Figueroa v. City of Corpus Christi*, and numbered in Cause No. 2020CCV-61584-3. A copy of the citation and first amended original petition are attached, and these constitutes all process, pleadings, and orders served in the action. The City has not filed an answer.

2. The citation and amended petition were served on the City on February 1, 2021, at 1201 Leopard Street, Corpus Christi, 78401. This notice of removal is filed within 30 days of receipt of the petition and is timely filed under 28 U.S.C. § 1446(b).

3. The district courts of the United States have original jurisdiction over this action because some of the claims arise under federal law. For example, Plaintiff claims the City discriminated against him in violation of 42 U.S.C. § 12101, et. seq., and that the City is liable for civil rights violations pursuant to 42 U.S.C. §1983. These are claims created by federal law.

4. Removal of this action is proper under 28 U.S.C. § 1441, because it is a civil action brought in a state court, and the federal district courts have original jurisdiction over the subject matter under 28 U.S.C. § 1331 because the case, as pled, arises under federal law.

Prayer

WHEREFORE, Defendant, City of Corpus Christi, pursuant to the cited statutes and in conformance with the requirements set out in 28 U.S.C. § 1446, removes this action for trial from County Court No. 3 of Nueces County, Texas, to this Court on this 22nd day of February, 2021.

Respectfully submitted,

/s/ Alissa Anne Adkins

Alissa Anne Adkins
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City of Corpus Christi
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**ATTORNEY FOR DEFENDANT,
CITY OF CORPUS CHRISTI**

NOTICE OF ELECTRONIC FILING

I hereby certify that I have electronically submitted for filing a true and correct copy of this document in accordance with the Electronic Case Files System of the Southern District of Texas on this the 22nd day of February, 2021.

/s/ Alissa Anne Adkins

Alissa Anne Adkins

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of this document was served on:

Via E-Service:

Mr. Charles C. Smith
615 N. Upper Broadway
Wells Fargo Tower, Suite 1710
Corpus Christi, Texas 78401
ccsmithlaw@aol.com

on this the 22nd day of February, 2021.

/s/ Alissa Anne Adkins
Alissa Anne Adkins